

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LONZO PATRICK,)
)
Petitioner,)
)
v.) No. 4:24-cv-607-HEA
)
UNITED STATES OF AMERICA,)
)
Respondent.)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on self-represented Petitioner Lonzo Patrick’s “Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241.” (ECF No. 1). Despite its title, the Petition appears to challenge Petitioner’s federal sentence under 28 U.S.C. § 2255. “A petitioner who seeks to challenge his sentence or conviction generally must do so in the sentencing court through § 2255 and cannot use § 2241 to challenge the conviction without first showing that § 2255 would be inadequate or ineffective.” *Abdullah v. Hedrick*, 392 F.3d 957, 959 (8th Cir. 2004); *see also Jones v. Hendrix*, 8 F.4th 683, 686 (8th Cir. 2021) (“Typically, a federal inmate must challenge a conviction or sentence through a § 2255 motion to vacate.”) (internal quotation marks omitted).

Petitioner has not shown that § 2255 is inadequate or ineffective to challenge the legality of his sentence. Therefore, the Court will order Petitioner to refile his Petition on the appropriate Court-approved form. *See* E.D.Mo. L.R. 2.06(A) (“All actions brought by self-represented plaintiffs or petitioners should be filed on a Court-provided form where applicable. If an action is not filed on a Court-provided form, the Court, in its discretion, may order the self-represented plaintiff or petitioner to file the action on a Court-provided form.”).

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall mail to Petitioner a copy of the Court's "Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence" form (AO 243).

IT IS FURTHER ORDERED that Petitioner shall complete the form in its entirety and return it to the Court no later than **twenty-one (21) days** from the date of this Order. Failure to comply with this Order will result in the dismissal of this action without prejudice.

Dated this 16th day of August, 2024.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE